

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jason M. Mullins
Danielle R. Mullins
fka Danielle R. Lewsader
Debtor(s)

Bankruptcy Case No.: 15-10575-TPA
Per May 8, 2018 Proceeding
Chapter: 13
Docket No.: 94 – 90, 93
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 17, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,394.00 as of May, 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) Fee Application needed if fees (including retainer) exceed \$4,000.00.
2) Peritus Services (Claim No. 3) and Route 8 Auto Sales are payable under Plan Part 3.2.
3) PNC payment changes shall be implemented.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

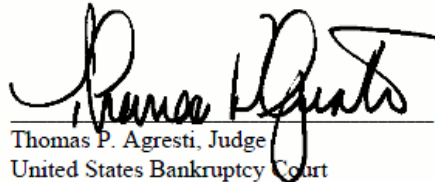
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: May 10, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jason M. Mullins
 Danielle R. Mullins
 Debtors

Case No. 15-10575-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

Page 1 of 2
 Total Noticed: 35

Date Rcvd: May 10, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 12, 2018.

db/jdb +Jason M. Mullins, Danielle R. Mullins, 106 State Route 3005, Kennerdell, PA 16374-1522
 14050882 +Aes/pheaafrn, Pob 61047, Harrisburg, PA 17106-1047
 14050883 +Best Buy Credit Services, PO Box 790441, Saint Louis, MO 63179-0441
 14050884 +Chase Card, 201 N. Walnut St//Del-1027, Wilmington, DE 19801-2920
 14050885 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14113701 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 14050886 +Citibank/The Home Depot, Po Box 790345, Saint Louis, MO 63179-0345
 14050887 +Client Services, Inc., Re: Chase Bank USA Inc., 3451 Harry S. Truman Blvd, Saint Charles, MO 63301-4047
 14050888 +Clintonville Sewer & Water Auth. 2013, PO Box 292, Clintonville, PA 16372-0292
 14050889 +Comenitycb/dentalfirst, Po Box 182120, Columbus, OH 43218-2120
 14050890 Dale Woodard Gent law Firm, Re: Clintonville Sewer & Water Authority, c/o Joseph H. Keebler, Jr., 1030 Liberty Street, Franklin, PA 16323-1298
 14050891 +Dental First Financing, PO box 659622, San Antonio, TX 78265-9622
 14336147 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 14050892 Farmers Natl Bk Emlent, Emlenton, PA 16373
 14050894 +First National Bank, 4140 E State Street, Hermitage, PA 16148-3401
 14050895 +Global Creid & Collection Corp., Re: Synchrony Bank, 5440 N. Cumberland, Suite 300, Chicago, IL 60656-1486
 14063855 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14104926 +PNC BANK, NATIONAL ASSOCIATION, Att: Bankruptcy Department, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14050897 +PNC Bank, PO Box 5243, MS#BR-YB-58-010-08, Cleveland, OH 44101-0243
 14050898 +Route 8 Auto Sales, 684 Seneca Street, Oil City, PA 16301-5658
 14050899 +Sears/cbna, Po Box 6282, Sioux Falls, SD 57117-6282
 14050900 Synch/dicks, P.o. Box 965003, Adel, IA 50003
 14050903 UPMC East, PO Box 382059, Pittsburgh, PA 15250-8059
 14050904 +UPMC Magee, PO Box 382059, Pittsburgh, PA 15250-0001
 14050905 +UPMC Physician Services, PO Box 371980, Pittsburgh, PA 15250-7980
 14050902 +University Of Pittsburgh Phys., 200 Lothrop Street, Pittsburgh, PA 15213-2582

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr E-mail/PDF: rmscedi@recoverycorp.com May 11 2018 01:44:20

Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
 14056901 E-mail/Text: mrdisen@discover.com May 11 2018 01:46:26 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14050892 +E-mail/Text: mrdisen@discover.com May 11 2018 01:46:26 Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
 14050896 +E-mail/Text: info@gcafcu.org May 11 2018 01:46:26 Grove City Area Fcu, 1 Credit Union Way, Grove City, PA 16127-1897
 14381451 E-mail/Text: peritus@ebn.phinsolutions.com May 11 2018 01:48:04 PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, Irving, Tx 75014-1419
 14102854 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 11 2018 01:44:19 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14075508 E-mail/Text: bnc-quantum@quantum3group.com May 11 2018 01:46:45 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
 14293695 E-mail/Text: bnc-quantum@quantum3group.com May 11 2018 01:46:45 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14055831 E-mail/PDF: rmscedi@recoverycorp.com May 11 2018 01:44:44 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605

TOTAL: 9

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK, NATIONAL ASSOCIATION
 cr* ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
 cr* PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, IRVING, TX 75014-1419
 cr* Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14050901 ##+Transworld Systems Inc, University Of Pittsburgh Phys., 5 Penn Center West Ste 100, Pittsburgh, PA 15276-0126

TOTALS: 1, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-1

User: vson
Form ID: 149

Page 2 of 2
Total Noticed: 35

Date Rcvd: May 10, 2018

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 12, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 10, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION
andygornall@latouflawfirm.com
Bryan P. Keenan on behalf of Debtor Jason M. Mullins keenan662@gmail.com, melindap662@gmail.com
Bryan P. Keenan on behalf of Joint Debtor Danielle R. Mullins keenan662@gmail.com,
melindap662@gmail.com
James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6